



Alan C. Lloyd, Ph.D.  
Secretary for  
Environmental  
Protection

# California Regional Water Quality Control Board

## San Diego Region

Over 50 Years Serving San Diego, Orange, and Riverside Counties  
Recipient of the 2004 Environmental Award for Outstanding Achievement from USEPA

9174 Sky Park Court, Suite 100, San Diego, California 92123-4340  
(858) 467-2952 • Fax (858) 571-6972  
<http://www.waterboards/sandiego>



Arnold Schwarzenegger  
Governor

August 23, 2005

Bulen Family Trust  
c/o Mr. John Hurtz  
Stepstone Real Estate  
1660 Union Street 4<sup>th</sup> Floor  
San Diego, California 92101

In reply refer to:

SMC:02-0031.05:walsl  
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**CERTIFIED MAIL Return Receipt Requested**  
Registration Number: 7004 1160 0007 0950 0958

Dear Sirs:

**SUBJECT: CLEANUP AND ABATEMENT ORDER NO. R9-2005-0017 FOR  
DISCHARGES OF WASTE FROM 1378 EAST GRAND AVENUE IN  
ESCONDIDO, CALIFORNIA**

Enclosed is Cleanup and Abatement Order (CAO) No. R9-2005-0017. This CAO addresses discharges of waste both to land and ground water from the site currently occupied by Lovett's One Hour Dry Cleaners at 1378 East Grand Avenue in Escondido, California. The CAO is issued pursuant to California Water Code (CWC) Section 13304 and directs the Bulen Family Trust to cleanup and abate the effects of the waste discharges described in the CAO findings.

Please note the directives contained in the CAO. Failure to comply with the directives may subject you to further enforcement actions by the Regional Board, including administrative or judicial proceedings for the assessment of civil liability in amounts of up to \$5,000 per day; referral to the State Attorney General for injunctive relief; and, referral to the District Attorney for criminal prosecution.

Pursuant to CWC Section 13304, the California Regional Water Quality Control Board, San Diego Region (Regional Board) is entitled to reimbursement for all reasonable costs actually incurred by the Regional Board to investigate unauthorized discharges of waste and to oversee cleanup of such waste, abatement of the effects thereof, or other remedial action required by this CAO. Attached is an explanation of the SWRCB Reimbursement Process for Regulatory Oversight with billing cost sheet and acknowledgement letter.

You may contest the issuance of this CAO by requesting a public hearing on the matter before the Regional Board. You may request that a public hearing be scheduled on this matter at the **November 9, 2005** Regional Board meeting by submitting a written request to the attention of Mr. John Anderson, Senior Engineering Geologist, at the following address no later than 5:00 pm on Monday, October 17, 2005.

Mr. John Anderson, PG  
Senior Engineering Geologist  
Site Mitigation and Cleanup Unit  
California Regional Water Quality Control Board  
San Diego Region  
9174 Sky Park Court, Suite 100  
San Diego, California 92123- 4340


Be aware that a request for a hearing does not stay any of the directives in the CAO. I strongly urge a complete and prompt response to each directive in CAO No. R9-2005-0017. If you have any questions regarding this matter, please contact either of the following staff:

Mr. John Anderson, PG  
Senior Engineering Geologist  
Site Mitigation and Cleanup Unit  
Phone: (858) 467-2975  
e-mail: JAnderson@waterboards.ca.gov

Ms. Laurie Walsh  
Water Resource Control Engineer  
Site Mitigation and Cleanup Unit  
Phone: (858) 467-2970  
e-mail: LWalsh@waterboards.ca.gov

The heading portion of this letter includes a Regional Board code number noted after "In reply refer to:" In order to assist us in the processing of your correspondence please include this code number in the heading or subject line portion of all correspondence and reports to the Regional Board pertaining to this matter.

Respectfully,

  
JOHN H. ROBERTUS  
Executive Officer

JHR:DTB:jpa:law: CAO R9 2005 0017cv ltr.DOC

Enclosures: (1) Cleanup and Abatement Order No. R9-2005-0017  
(2) Cleanup and Abatement Order No. R9-2005-0017 Technical Analysis  
(3) Spills, Leaks, Investigations, and Cleanup Program Cost Recovery Documents

CC:

Mr. Gary Erbeck, Director - County of San Diego Department of Environmental Health  
PO Box 129261, San Diego, CA 92112-9261  
Mr. Robert G. Russell, Jr., Procopio Cory Hargreaves & Savitch LLP 530 B Street, Suite 2100  
San Diego, California 92101-4469  
Mr. Khosrou Tahbaz, Lovett's One Hour Cleaners, 1378 E. Grand Avenue Escondido,  
California, 92027